

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE NIELSEN COMPANY (US), LLC,)	
)	
Plaintiff,)	
)	C.A. No. 23-136-GBW-CJB
v.)	(Consolidated)
)	
HYPHAMETRICS, INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

**STIPULATION AND PROPOSED ORDER REGARDING
EXCHANGE OF DOCUMENTS FOR THE JOINT PRETRIAL ORDER, COMPLETION
OF HYPHAMETRICS' SUPPLEMENTAL DOCUMENT PRODUCTION, AND
CONTINUED DEPOSITION OF MS. JOANNA DREWS**

WHEREAS, on April 9, 2025, the Parties agreed to a schedule for the exchange of documents in preparation for submitting the Joint Pretrial Order;

WHEREAS, pursuant to the Parties' agreed schedule, Plaintiff The Nielsen Company (US), LLC ("Nielsen") sent a first set of draft documents for the Joint Pretrial Order on May 30, 2025, and sent a second set of draft documents for the Pretrial Order on June 13, 2025;

WHEREAS, the agreed due date for Defendant HyphaMetrics, Inc.'s ("HyphaMetrics") first exchange of documents for the Joint Pretrial Order was June 13, 2025;

WHEREAS, the Parties have agreed to revise the schedule for the exchange of documents in preparation for submitting the Joint Pretrial Order;

WHEREAS, the July 11, 2025 deadline for filing the Proposed Voir Dire, Preliminary Jury Instructions, Final Jury Instructions, and Special Verdict Forms, and the July 15, 2025 deadline for filing the Joint Proposed Pretrial Order remain unchanged per the scheduling order [D.I. 22 and as amended by D.I. 197];

WHEREAS, the Parties agree there will be no further extensions to the schedule for the exchange of documents in preparation for submitting the Joint Pretrial Order;

WHEREAS, HyphaMetrics made supplemental document productions in May and June 2025, and the Parties have agreed that all supplemental document production by HyphaMetrics will be complete by July 1, 2025; and

WHEREAS, Nielsen took the deposition of Ms. Joanna Drews on June 2, 2025, the Parties agreed to continue that deposition, and HyphaMetrics has agreed to make Ms. Drews available the week of July 7, 2025 for the continuation of her June 2, 2025 deposition.

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The schedule for the exchange of documents in preparation for submitting the Joint Pretrial Order shall be as set forth in the Table below;
2. HyphaMetrics will complete all supplemental document production by July 1, 2025;
3. HyphaMetrics will make Ms. Joanna Drews available the week of July 7, 2025 for the continuation of her June 2, 2025 deposition.

Date	Exchange/Document
June 23, 2025	<p>HyphaMetrics to provide objections/revisions to:</p> <ul style="list-style-type: none">• Pretrial Order Schedules relating to Nielsen's case,¹ including objections and counter designations to Nielsen's affirmative deposition designations• Proposed voir dire• Preliminary jury instructions• Final jury instructions• Special verdict forms <p>HyphaMetrics to provide Nielsen:</p> <ul style="list-style-type: none">• Pretrial Order Schedules relating to HyphaMetrics' case²

¹ Issues on which Nielsen has the burden of proof, including infringement and damages.

² Issues on which HyphaMetrics has the burden of proof, including validity.

	<ul style="list-style-type: none"> ○ Statement of Facts Which are Uncontested ○ Statement of Contested Facts that Remain to be Litigated ○ Statement of Issues of Law that Remain to be Litigated ○ Defs. Exhibit list ○ Defs. Witness list ○ Affirmative deposition designations ○ Statement of Proof and Damages
July 1, 2025 By 6:00pm EST	Both parties exchange lists of potential Motions <i>in limine</i>
July 3, 2025 By 6:00pm EST	<p>Nielsen to provide objections/revisions to:</p> <ul style="list-style-type: none"> • Pretrial Order Schedules relating to HyphaMetrics' case, including objections and counter designations to HyphaMetrics' affirmative deposition designations • Objections to HyphaMetrics' counter designations to Nielsen's affirmative deposition designations <p>HyphaMetrics to provide:</p> <ul style="list-style-type: none"> • Revisions to Pretrial Order Shell • Pretrial Order Shell sections related to HyphaMetrics' case <p>Parties meet and confer on Motions <i>in limine</i></p>
July 7, 2025 By 6:00pm EST	<p>Nielsen to provide HyphaMetrics complete drafts of:</p> <ul style="list-style-type: none"> • Joint Proposed Pretrial Order & Schedules • Proposed voir dire • Preliminary jury instructions • Final jury instructions • Special verdict forms <p>Both parties exchange:</p> <ul style="list-style-type: none"> • Briefing in support of any/all Motions <i>in limine</i>
July 9, 2025	<p>Second Meet & Confer</p> <p>HyphaMetrics to provide objections to Nielsen's counter designations</p> <p>HyphaMetrics to provide final comments on:</p> <ul style="list-style-type: none"> • Joint Proposed Pretrial Order & Schedules • Proposed voir dire • Preliminary jury instructions • Final jury instructions • Special verdict forms

July 10, 2025 By 6:00pm EST	Both parties exchange: <ul style="list-style-type: none">• Briefing in opposition of any/all Motions <i>in limine</i>
July 11, 2025 By 6:00pm EST	Deadline to File Proposed Voir Dire, Preliminary Jury Instructions, Final Jury Instructions, and Special Verdict Forms
July 14, 2025 By 6:00pm EST	Both parties exchange: <ul style="list-style-type: none">• Reply briefing in support of any/all Motions <i>in limine</i>
July 15, 2025 By 5:00pm EST ³	Joint Proposed Pretrial Order due

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Dated: June 20, 2025
12316065 / 14944-00006

IT IS SO ORDERED this _____ day of June 2025.

United States Judge

³ The July 15, 2025 deadline for filing the Joint Proposed Pretrial Order remains unchanged.